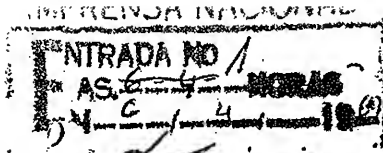


Goa, 6th April, 1967 (Chaitra 16, 1889)



SERIES I No. 1

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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Notification

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Letter No. F.7(11)/62/Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment in the Goa Government Directorate of Industries and Mines, Assistant Mining Engineer's post's Recruitment Rules 1966 issued under the Notification dated the 25th July, 1966, published in Goa Government Gazette Series I, No. 21, dated the 25th August, 1966.

In the Rule 5 of the said Notification the portion «An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification», shall be deleted.

G. K. Bhanot
Chief Secretary

Panaji, 18th March, 1967.

Home Department

Corrigendum

HD-25-2691/67-A

Column V of Sub-para 1(a) of the Government Order No. SO.22-2161/63 dated 21/11/1963, published in the Government Gazette, Series I, No. 21, dated the 25th August, 1966, is hereby corrected as follows:—

published in the Government Gazette No. 47, Series I, dated 28/11/1963, may be read as follows:—

“20 paise per kilometer as return charges to be collected at flat rate on the distance between:—

(i) the place where the taxi is discharged and the place where it was hired.

Or

(ii) the place where the taxi is discharged and the place where it has its original stand; whichever is less.”

By order and in the name of the Administrator of Goa, Daman and Diu.

S. C. Consul, Under Secretary, Home Department.
Panaji, 30th March, 1967.

Revenue Department

ORDER

RD/TNC/SO/348/67

In exercise of powers conferred by Section 62 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, Government is hereby pleased to order as follows:—

1. (a) This order may be called the Ascertainment of Gross Produce of Land Order, 1967.

(b) It shall come into force at once.

2. When the gross produce of any land cannot be ascertained by any of the methods laid down in sub-section (2) of Section 23 of the Act, the Mamlatdar shall ascertain it by taking the evidence of persons present at the time of harvesting, or by evidence regarding the produce of land of similar quality in the same village and locality in which the land of which gross produce is to be ascertained is situated in the particular harvest or harvests.

By order and in the name of the Administrator of Goa, Daman and Diu.

Hardyal Chaudhri, Secretary (Revenue).
Panaji, 20th March, 1967.

Notification

RD/M/ACT/RLS/66/67

In exercise of the powers conferred by Section 26 of the Goa, Daman and Diu Mamlatdar's Court Act, 1966, the Government is pleased to make the following rules:—

The Goa, Daman and Diu Mamlatdar's Court Rules 1967

1. Short title and commencement:—

- (i) These Rules may be called the Goa, Daman and Diu Mamlatdar's Court Rules, 1967.
(ii) These shall come into force at once.

2. Definitions.—In these rules, unless there is anything repugnant to the subject or context:—

- (a) «Act» means the Goa, Daman and Diu Mamlatdar's Court Act, 1966;
(b) «Form» means a form appended to these Rules;
(c) «Section» means a Section of the Act;
(d) Words and expressions used, but not defined, in these Rules shall have the meanings assigned to them in the Act.

3. Forms of receipt and notice under section 13:—

(1) The receipt to be granted by the Mamlatdar under sub-section (1) of Section 13 shall be in Form I.

(2) The notice to be issued to the defendant under sub-section (1) of Section 13 shall be in Form II.

4. Form of notice under sub-section (2) of Section 15.—The notice to be issued by the Mamlatdar under the proviso to sub-section (2) of Section 15 shall be in Form III.

5. Mode of serving of notices:—

(1) Every notice under this Act may be served either by tendering or delivering a copy thereof to the person therein named or any adult member of his family or by sending such copy by registered post acknowledgment due to the person on whom it is to be served, or his authorised agent or, if service in the manner aforesaid cannot be made, by affixing a copy thereof at his last known place of residence or at some place of public resort in the village in which the land to which the notice relates is situated or from which the land is cultivated.

(2) No such notice shall be deemed to be invalid on account of any error in the name or designation of any person, or in the description of any land, referred to therein, unless such error has produced a failure of justice.

6. Mode of serving of summons.—Every summons shall be issued in duplicate, duly signed and sealed and shall be served by delivering or tendering one copy to the person therein named or to any adult member of his family or by sending it by registered post acknowledgment due to his address or if such person cannot be found, then by affixing a copy to some conspicuous part of the place, where he ordinarily resides or carries on business and to the notice board of the Mamlatdar's office.

7. Execution of orders and warrants.—(1) Every order passed under this Act, shall be executed through the village officer or any sub-ordinate under the control of the officer passing the order or otherwise, as he thinks fit.

(2) The provisions of Section 75 to 86 of the Code of Criminal Procedure, 1898, shall apply with regard to the execution of a warrant of arrest under this Act.

8. Payment of costs incurred in procuring attendance of witnesses.—(1) At any time after a suit is instituted, the parties who obtain, on application to the Court, summonses to persons whose attendance is required either to give evidence or to produce documents, shall, before the summons is granted and within a period to be fixed, pay into Court such sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned in passing to and from the Court in which he is required to attend, and for one day's attendance.

(2) Without prejudice to the generality of sub-rule (1), the expenditure on travelling and other expenses of a person so summoned and allowances for his attendance in the court shall be paid to him at the same rates at which payments are made for a witness summoned by a Magistrate in a criminal case.

9. Scale of costs to be awarded to successful party.—The Collector or the Mamlatdar, as the case may be, may give and apportion costs incurred in any case or proceeding arising under the Act in such manner and to such extent as he thinks fit.

10. Maintenance of registers and accounts etc.—

(1) The registers of suits and revisions and the accounts of deposit money received by the Court of the Mamlatdar and the Collector shall be maintained in Form IV and Form V, respectively.

(2) The Mamlatdar shall send to the Collector at the close of each quarter a business return, in Form VI, and a consolidated return shall be forwarded by the Collector to the Government with his remarks. The Collector shall, similarly, communicate figures pertaining to his court, to Government in the same form alongwith the consolidated figures compiled from the data furnished to him by the Mamlatdars.

Hardyal Chaudhri, Secretary to the Government Revenue Department.

Panaji, 18th March, 1967.

FORM I

[Rule 3(1)]

Form of receipt of acknowledgement

Received from/on behalf of Shri/Smt. ... (Here enter the name of the plaintiff) ... herein below mentioned documents.—

- 1)
2) (Here give particulars of the documents presented including plaint).
3)
etc.

This ... day of ... 19 ...

Seal of the Court.

(Signed)

Mamlatdar

FORM II
[Rule 3(2)]

Form of notice to be issued to the defendant under Section 13

No. of suit.

In the Court of the Mamlatdar of ...

Plaintiff:
Defendant:

To Defendant (name, age, profession and place of abode).

Whereas (here enter the name, age, profession and place of abode of the plaintiff) has instituted a suit in this Court against you (here state the particulars of the plaint);

You are hereby summoned to appear in this Court at the Village of ... in person or by duly authorised agent on the ... day of ... at ... o'clock, to answer the above named plaintiff; and, as the plaint will be finally disposed of on that day, you must adopt measures to produce your documents and produce the attendance of your witnesses at the hour and place above fixed; and you are hereby required to take notice that, in default of such appearance at the before mentioned time and place, the suit will be heard and determined in the absence of yourself and your agent.

Dated this ... day of ... 19 ...

(Signed)

Seal of the Court.

Mamlatdar.

Note: If you require your witnesses to be summoned by the Court you should make an application to that effect to the Court without delay, so as to allow of the service of the summonses a reasonable time before the within mentioned date.

FORM III
(Rule 4)

Form of notice to be issued under Section 15(2)

No. of suit.

In the Court of the Mamlatdar of ...

Plaintiff:
Defendant:

To Plaintiff (or Defendant, as the case may be).

Whereas, in the suit above specified, instituted in this Court by ... the Court ordered on the ... day of ... last that ..., and the said plaintiff (or defendant, as the case may be), has, under date the ... day of ..., applied to this Court to re-hear the case on the grounds that (here state the grounds):

This is to give you notice that the said application will be heard and determined on the ... day of ... at ... o'clock ...m., at the village of ..., and you are hereby required to take notice that in default of your appearance personally or by agent at the said time and place, the application will be heard and determined in your absence and if granted, a time and place for re-hearing the suit will then be fixed.

Dated this ... day of ... 19 ...

(Signed)

Seal of the Court.

Mamlatdar.

FORM IV
[Rule 10(1)]

Register of suits/revisions for the Court of Mamlatdar/Collector, Taluka/District

Date of presentation of plaint/appliation	No. of suit/revision	Plaintiff/applicant		Defendant/respondent		Nature of claim under dispute/order under revision	Appearance		Date of order passed	Execution	Remarks
		Name:	Place of residence	Name:	Place of residence		Day of parties to appear	Post-ponement of hearings			
1	2	3(a)	3(b)	4(a)	4(b)	5	6(a)	6(b)	7	8	9

FORM V
[Rule 10(1)]

Account Register for the deposit money received by the Court

Year: —

Date of receipt	No. of suit to which the amount pertains	Amount Rs. Ps.	Disbursement made			Verification (Remarks of the officer checking account)	Other remarks
			Date:	To whom paid	Balance, if any		
1	2	3	4	5	6	7	8

FORM VI
[Rule 10(2)]

Business Return under the Mamlatdar's Court Act for the quarter ending ...

Name of Taluka/District	Cases pending at the beginning of the Quarter	Cases received during the quarter	Total of Col. 2 & 3	Cases disposed of during the Quarter	Cases pending at the end of the Quarter	Remarks of the Collector on the disposal of cases by the Mamlatdar	Remarks of the Government
1	2	3	4	5	6	7	8

GOVT. PRINTING PRESS — GOA
(Imprensa Nacional — Goa)

PRICE — 27 Ps.